

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

GOLDEN BETHUNE-HILL, *et al.*,

Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS,  
*et al.*,

Defendants,

v.

VIRGINIA HOUSE OF DELEGATES, *et al.*,

Intervenor-Defendants

Civil Action No. 3:14-cv-00852-REP-  
AWA-BMK

**PLAINTIFFS' SUPPLEMENTAL SUBMISSION REGARDING REVISED SECOND  
MOTION FOR ATTORNEYS' FEES AND LITIGATION EXPENSES**

By Order dated April 20, 2020, the Court ordered Plaintiffs to “file a truncated fee award calculation using Richmond, Virginia rates, with supporting affidavit and exhibits, if needed, by May 1, 2020.” ECF No. 423. Plaintiffs submit this supplemental brief in response.

As the Court is aware, in conjunction with their Memorandum in Support of Revised Second Motion for Attorneys’ Fees and Litigation Expenses (ECF No. 402), Plaintiffs submitted certain information regarding the “Richmond rates” they seek. This information included the Declaration of Kevin J. Hamilton (ECF No. 403), which included a table of timekeepers and the Richmond rates sought (*id.* ¶ 25) and Table A, which set out the requested annual increase in the Richmond rate sought by each timekeeper.

At issue are Plaintiffs’ requested rates in 2017-2019. Plaintiffs continue to seek the previously requested rates in these three years, which they submit are reasonable in the Richmond market given the experience of the timekeepers in question and the nature and complexity of this litigation. Accordingly, Plaintiffs are not altering their overall requested fee award by way of this supplemental submission.

Instead, with this supplemental brief, Plaintiff submit three additional declarations supporting Plaintiffs’ requested fees. These declarations include further detail about the Richmond legal market in 2017-2019.

Plaintiffs submit declarations from Richmond-based attorneys at two leading firms in Richmond—McGuireWoods and Troutman Sanders LLP—who have reviewed Plaintiffs’ requested rates and opine that they are reasonable in the Richmond market. *See generally* Declaration of Dion W. Hayes & Declaration of Robert A. Angle. As set out in these declarations, Plaintiffs’ requested rates for senior and junior partners, associates, and paralegals all fall well

within a reasonable range for attorneys of comparable skill and experience performing work of similar complexity.

In addition, Plaintiffs submit a declaration from Eugenia Frenzel, Perkins Coie's Director of Pricing and Practice Management Economics, which confirms this analysis. As set out in Ms. Frenzel's declaration, she conducted a review of market rates in Richmond during the relevant years, based on market data, and likewise determined that Plaintiffs' requested rates are reasonable when compared to comparable Richmond-based practitioners.

Plaintiffs respectfully submit that this additional evidentiary support, in addition to the data that Plaintiffs have already provided, establishes the reasonableness of the specific rates requested by timekeepers who billed time in 2017-2019 on this matter. Plaintiffs therefore ask the Court to award \$4,115,893.75 in attorneys' fees and \$489,096.35 in litigation expenses. Plaintiffs also seek \$223,832.06 in costs, as set out in their pending cost bill (ECF No. 388).

DATED: May 8, 2020

By: /s/ Aria C. Branch

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of May, 2020, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the counsel of record in this case.

By /s/ Aria C. Branch

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